

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:20-CV-00299-KDB**

LISSA ANN FRANKS,

Plaintiff,

v.

**KILOLO KIJAKAZI, Acting
Commissioner of Social Security**

Defendant.

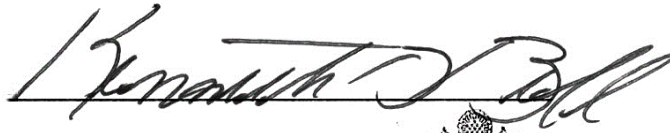
ORDER

THIS MATTER IS BEFORE THE COURT on the Plaintiff's Consent Motion for Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d)(1)(A). (Doc. No. 24). Having reviewed the motion and the supporting materials, the Court determines that Plaintiff should be awarded an attorney's fee under 28 U.S.C. § 2412(d) in the amount of \$8,750.00.

IT IS THEREFORE ORDERED that the Plaintiff's Motion for Fees under 28 U.S.C. § 2412(d)(1)(A) filed is **GRANTED**, to the extent that the Court will award attorney fees in the amount of \$8,750.00, and that pursuant to *Comm'r of Soc. Sec. v. Ratliff*, 560 U.S. ___, 130 S. Ct. 2521 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, the debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff's counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor an assignment of EAJA fees and pay the awarded fees directly to Plaintiff's counsel. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

SO ORDERED.

Signed: February 3, 2022

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

